

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MISDEMEANOR

Joseph Cracco (M 28),

Defendant.

Police Officer James Fallon, Shield 7359 of the Patrol Borough Manhattan North Task Force, states as follows:

*The defendant is charged with:*

- |                      |   |
|----------------------|---|
| 1 PL 120.20          | Reckless Endangerment in the Second Degree<br>(defendant #1: 1 count) |
| 2 PL 221.05          | Unlawful Possession Of Marijuana<br>(defendant #1: 1 count)           |
| 3 PL 270.00(2)(b)(i) | Unlawfully Dealing with Fireworks<br>(defendant #1: 1 count)          |

On or about July 6, 2014 at about 12:05 A.M., in front of 610 West 196 Street in the County and State of New York, the defendant recklessly engaged in conduct which created a substantial risk of serious physical injury to another person; the defendant knowingly and unlawfully possessed marijuana; the defendant possessed, used, exploded and caused to explode fireworks.

*The factual basis for these charges are as follows:*

"I observed the defendant walking away from an area where I observed that fireworks had been set off underneath a car, creating a high degree of heat underneath a combustion engine. I observed that a child approximately twelve years of age was walking toward the car and was in close proximity to it at the time the fireworks went off. The defendant stated, in substance, to me, "I just set them off. I couldn't use them yesterday because it rained."

I took one marijuana cigarette from the defendant's left rear pants pocket.

I know that the substance I recovered contained marijuana based on my professional training as a police officer in the identification of marijuana, my prior experience as a police officer making drug arrests, the odor emanating from the substance, my observation of the packaging, which is characteristic of marijuana, and a field test of the substance which confirmed that it is marijuana.

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False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

Po. J. Fallon  
Police Officer James Fallon

07/06/14  
Date

0830hrs  
Time

